THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.23206 OF 2006

BETWEEN:

Sangapatnam Raveendra son of Tirupalaiah

…Petitioner

vs.

The State of A.P. rep. by its District Collector, Kadapa and others

..Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.23206 OF 2006

ORAL ORDER

By the orders of the 3rd respondent dated.19-09-206 and pursuant to a show cause notice dated.16-06-2006, the petitioner has been adjudged to be purchaser of assigned lands contrary to the provisions of the A.P. Assigned Lands (Prohibition of Transfers) Act,1977(for short "the Act') in respect of an extent of Ac.1.45 cents, Gudur village of Kadapa Mandal. The 3rd respondent by the orders dated.19-09-2006, exercising powers under Sec.4(1) of the Act resumed the said land to the Government and directed the Additional Revenue Inspector to take possession of the land under a panchanama. The petitioner claims to have acquired ownership and possession of the land in question pursuant to a partition deed.

Aggrieved by the 3rd respondent's order dated.19-09-2006 the petitioner preferred an appeal to the 2nd respondent on 18-10-2006 under Sec.4(A) of the Act. The petitioner's grievance is that the respondents are proceeding to alienate the land resumed from him even before the 2nd respondent has taken up either his appeal or his application for interim suspension of the 3rd respondent's proceedings dated.19-09-2006, for consideration.

The learned Government Pleader for Revenue (Assignments) states on instructions that the appeal and the interlocutory application of the petitioner is scheduled to be taken up by the 2nd respondent on 18-11-2006 and on that date the said respondent would consider the

petitioner's application for interim relief and pass orders thereon. The learned Government Pleader has however no instructions as to whether the respondents would meanwhile alienate the lands in favour of others.

In the aforesaid circumstances the writ petition is disposed of directing the 2nd respondent to consider and dispose of at least the petitioner's application for interim relief in his appeal preferred on 18-10-2006, on 18-11-2006, pass orders thereon and communicate the same to the petitioner within a week thereafter. Till the orders of the 2nd respondent on the interim application of the petitioner are communicated to the petitioner, the respondents shall not take any action to alienate the land of the petitioner which is resumed pursuant to the 3rd respondent's order dated.19-09-2006. No order as to costs.

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GODA RAGHURAM,J

10th NOVEMBER 2006

Note:
Issue CC by Monday
(B/O)
***TSNR**